

1  
2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
10

11 WILLIAM LAIL, ) Case No.: 1:20-cv-1349 JLT  
12 Plaintiff, )  
13 v. ) ORDER GRANTING THE COMMISSIONER’S  
14 COMMISSIONER OF SOCIAL SECURITY, ) REQUEST FOR A FURTHER EXTENSION OF  
15 Defendant. ) TIME  
16 ) (Doc. 18)

17 On August 9, 2021, the parties stipulated for the Commissioner to have an additional extension  
18 of 30 days to file a response to Plaintiff’s opening brief. (Doc. 19.) The Scheduling Order allows for  
19 only one extension of 30 days by the stipulation of the parties. (Doc. 5 at 3.) Beyond the single  
20 extension by stipulation, “requests to modify [the scheduling] order must be made by written motion  
21 and will be granted only for good cause.” (*Id.*)

22 Chantal Jenkins, counsel for the Commissioner, reports that she “was unexpectedly out of the  
23 office for a week in July due to physical injury.” (Doc. 18 at 2.) This was the reason given for the first  
24 extension was requested at the beginning of July, when counsel requested an extension of thirty days.  
25 (*See* Doc. 16 at 1.) However, Ms. Jenkins also reports that she “currently has 8 other briefs in social  
26 security cases due within the next month and an oral argument before the Ninth Circuit.” (Doc. 18 at  
27 2.) Further, Plaintiff’s counsel has indicated he does not oppose the requested extension, and it does  
28 not appear Plaintiff would suffer any prejudice as a result. Accordingly, the Court **ORDERS**:

1. The request for a further extension of time (Doc. 18) is **GRANTED**;
2. The Commissioner **SHALL** file a response to Plaintiff's opening brief no later than **September 10, 2021**; and
3. The parties are reminded that any additional requests for an extension of time shall be made by written motion, and supported by good cause.

IT IS SO ORDERED.

Dated: **August 10, 2021**

**/s/ Jennifer L. Thurston**  
CHIEF UNITED STATES MAGISTRATE JUDGE